

IOWA CRIMINAL STATUTES SUMMARY CHART

Introductory Page (Rev. 6/20/05)

INSTRUCTIONS FOR USE: This chart is designed as a checklist and alert to major sentencing issues and statutes. Code cites and text are abbreviated. All Code sections are from 2005 Iowa Code updated through the 2005 legislative session, and are in numerical order from top to bottom along left margin. The author will attempt to update this chart after every legislative session. If the EndNote column (far right) shows a "5", that code section or chapter was amended effective 7/1/05 (or in some cases upon enactment); if it shows a "4", that code section or chapter was amended effective 7/1/04 (or in some cases upon enactment). Look at the EndNotes for reference to the legislation. Only limited references are made to amended legislation. **WARNING!! This chart applies to offenses occurring after 6/30/05, and will not be reliable for offenses which occur after 6/30/06.**

Across the top of each page are headings and footnote references (e.g., "n.A"). Those footnotes are at the bottom of this introductory page. If the EndNotes column shows an asterisk (*), then you should refer to the EndNotes section on the last pages for references to other sections, alerts and footnotes that may relate to the code section listed in the column on the left margin. At the end of the Code section summaries are selected criminal procedure sections.

In the columns, a "y" means "yes", "n" means "no", "y/n" means "yes/no", "n/a" means "not applicable." A "y/n", "n/y" or "?", means you should review the applicable statutes.

This chart is intended as a checklist, reminder, and issue spotter--NOT as a definitive listing of all issues that need to be addressed under any particular use.

Satisfy yourself as to accuracy of the information.

FOOTNOTES

Note A: See chs. 901, 902, 903 outlined below; if "C" or "D" habitual felon, see 902.9(3); if forcible felony, see 902.7.

Note B: Parole per ch. 906; min. per 902.7 (5 yrs. dang. weap.), 902.8 (3 yrs. habitual), 902.8A(124.401D), 902.11(prior forcibles), 902.12(70% forcibles) (see also sec. 702.11 defines "forcible felony").

Note C: 32% surcharge (30% until 6/30/05) on fines/forfeitures per 911.1(amended by 2005 HF 682), may suspend pro rata with fine; n/a to parking violations.

Note D: \$10 DARE surcharge for each offense per 911.2, not assessed if defer sentence/judgment or suspend sentence.

Note E: County surcharge, if any, per 911.4 only simple mis. and only if county has adopted.

Note F: \$125 Law Enforcement Initiative Surcharge per 911.3, if guilty or deferred judgment.

Note G: Drivers license revocation per 901.5(10).

Note H: DNA profile required per 81.2 (new 2005 HF 619) and amended 901.5(8A), all felony convictions and def. judg., all sexually violent predators (new 229A.7(5A)), persons required to register as sex offenders, if guilty by reason of insanity, includes juveniles (new 232.52(10)), and others if the court determines appropriate per 901.5(8A).

Note I: Ch. 692A Sex Offender Registry: see 692A.1(2), (4), ((6), (8), (9), (10).

Note J: 901.5(11)-(12) consider denying certain federal benefits and certain state benefits.

Note K: 124.409(2) May order commitment for treatment if charged and consent to treatment, or if convicted, under 124.401 if addicted/dependent/chronic abuser court.

WARNING--THIS IS NOT YET COMPLETE--WORK IN PROGRESS!!

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